

## **ZONING COMMITTEE**

### **MINUTES**

**SEPTEMBER 16, 2009**

The regularly scheduled meeting of the Zoning Committee was held on **Wednesday, September 16, 2009 at 11:25 a.m., in Committee Room #2**

**The Honorable Ivory L. Young, Jr., Chair**  
**The Honorable Natalyn M. Archibong, Vice-Chair**  
**The Honorable Anne Fauver**  
**The Honorable Carla Smith**  
**The Honorable Mary Norwood**  
**The Honorable Howard Shook**

The following member was absent:

**The Honorable C. T. Martin**

Others present at the meeting were: Zoning Administrator Charletta Wilson-Jacks, Department of Planning and Community Development; City Attorneys Lem Ward, Law Department; media, public and council staff.

Chair Ivory L. Young, Jr. called the meeting to order at 11:25 p.m. after declaring a quorum present. He then proceeded with the following order of business.

**A. ADOPTION OF AGENDA - ADOPTED**

**B. APPROVAL OF MINUTES - APPROVED**

**C. ORDINANCES FOR FIRST READING**

09-O-1628 ( 1)  
**U-97-3**      An Ordinance by Zoning Committee to amend Ordinance U-97-3, as adopted by the City Council on June 1, 2009 and approved by the Mayor on June 9, 2009, for the purposes of approving a transfer of ownership for a Special Use Permit for a Day Care Center for property located at **862 Hollywood Road, NW**; and for other purposes.

**TO BE REFERRED TO ZONING COMMITTEE**

**Zoning Committee Minutes  
September 16, 2009  
Page Two**

### ORDINANCES FOR FIRST READING (CONT'D)

09-O-1629 ( 2)      An Ordinance by Zoning Committee granting a Special Use Permit for a Community Service Facility Section 16-06.005

**U-90-15/**      (1) (k), property located at **8 East Lake Drive, NE**, fronting approximately 160 feet on the west side of East Lake Drive and approximately 182 feet on the north side of Hosea Williams Drive.

**U-06-07**      Depth:      Varies

Area:      Approximately .66 acre

Land Lot:      204, 15<sup>th</sup> District, DeKalb County, Georgia

Owner:      Elizabeth Omilami

Applicant:      Patrise Perkins-Hooker

**NPU-O**      **Council District 5**

**TO BE REFERRED TO ZRB AND ZONING COMMITTEE**

#### D. PAPERS HELD IN COMMITTEE

06-O-0273 ( 1) An Ordinance by Councilmembers Carla Smith, Ivory Lee Young, Jr. and Clela Winslow correcting Ordinance Number 04-O-0179/Z-04-24 which amended Section 16-29.001(16) "Human Services" including Personal Care Homes, Rehabilitation Centers and Nursing Homes by clarifying and/or redefining certain terms; and for other purposes. **(Held 2/1/06 for further review)**

06-O-0007 ( 2)  
**Z-05-65**

An Ordinance by Councilmember Carla Smith  
**as amended by Zoning Committee** to rezone the portion of  
the property located at **1821 W. Anderson Avenue** that is  
zoned R-4 (Single Family Residential) to the O-I (Office  
Institutional) Classification, to issue a Special Use Permit for  
the subject property; and for other purposes. **(Held  
6/28/06 at the request of Councilmember of the  
District)**

06-O-0022 ( 3)  
U-05-22

An Ordinance by Councilmember Carla Smith to issue a Special Use Permit for a Nursing Home at **1821 W. Anderson Avenue (a.k.a. 31 Anderson Avenue)**; to waive the 2,000 foot distance requirement for this location; and for other purposes. **(Held 6/28/06 at the request of Councilmember of the District)**

**Zoning Committee Minutes**  
**September 16, 2009**  
**Page Three**

**PAPERS HELD IN COMMITTEE (CONT'D)**

06-O-0955 ( 4)  
**Z-06-44** A **Substitute** Ordinance by Zoning Committee to rezone from the I-1-C (Light Industrial-Conditional) District to the MR5-A (Multi-Family Residential) District, property located at **1155 Hill Street, SE**, fronting approximately 350 feet on the west side of Hill Street and approximately 272 feet on the north side of Englewood Avenue. **(Held 11/1/06 at the request of District Council Person)**

Depth: Varies

Area: Approximately 8.719 Acres

Land Lot: 55, 14<sup>th</sup> District, Fulton County, Georgia

Owner: Jack and Harvey Taffel

Applicant: Chaz E. Waters/Skyline Partners, LLC.

**NPU-Y**

**Council District 1**

06-O-1927 ( 5) An Ordinance by Councilmembers Howard Shook, H. Lamar Willis, Jim Maddox and Ceasar C. Mitchell **as substituted by Zoning Committee** to amend the 1982 Zoning Ordinance of the City of Atlanta, As Amended, so as to create a New Chapter to be entitled, 8B, Fulton County Townhouse Residential; to establish design guidelines for said District; to enact, by reference and incorporation, a Map establishing the boundaries of said District for the Cascade Glenn; to amend the City of Atlanta Zoning Maps; to modify the zoning process for annexations; and for other purposes. **(Forwarded with no recommendation by Zoning Committee 9/13/06) (Referred back by Council 12/04/06) (Held 12/13/06 for further review)**

06-O-1445 ( 6)  
**Z-06-74** An Ordinance by Zoning Committee to rezone from the R-G-3 (Residential General-Sector 3) District to the PD-MU (Planned Development-Mixed Use) District, property located at **3700 Martin Luther King, Jr. Drive, SW**, fronting approximately 474.25 feet on the south side of Martin Luther King, Jr. Drive beginning approximately 183 feet from the southwest corner of Adamsville Drive. **(Held 5/2/07 at the request of Councilmember of the District)**

Depth: Varies

Area: Approximately 27 Acres

Land Lot: 15, 14<sup>th</sup> District, Fulton County, Georgia

Owner: Atlanta Neighborhood Development Partnership

Applicant: Marvin Greer

**NPU-H**

**Council District 10**

**Zoning Committee Minutes**  
**September 16, 2009**  
**Page Four**

**PAPERS HELD IN COMMITTEE (CONT'D)**

- 06-O-1888 ( 7)  
**CDP-06-65**      An Ordinance by Community Development/Human Resources Committee to amend the Land Use Element of the City of Atlanta's 2004-2019 Comprehensive Development Plan (CDP) so as to re-designate property located at **3700 Martin Luther King, Jr. Drive, SW**, from the "Medium Density Residential" Land Use Designation to the "Mixed-Use" Land Use Designation; and for other purposes. **(Public Hearing held 9/11/06) (Filed by CD/HR Committee 11/27/07) (Held 5/2/07 at the request of Councilmember of the District)**  
**NPU-H** **Council District 1**
- 07-O-2594 ( 8)      An Ordinance by Councilmember Kwanza Hall requesting that Chapter 28A.010 of the Code Ordinances, the Sign Ordinance, Subsection (12) Special Public Interest District 1 (Central Core) District of the City of Atlanta Zoning Ordinance be waived to allow for the construction of two (2) Signs at 100 Auburn Avenue, NE; and for other purposes. **(Held 12/12/07)**
- 06-O-2697 ( 9)  
**Z-06-144**      An Ordinance by Councilmember Carla Smith to amend Chapter 28 of Part 16 of the Atlanta City Land Development Code to provide for density increases in exchange for affordable workforce housing; to define certain terms; to provide limitations and requirements; and for other purposes. **(Held 1/30/08)**
- 07-O-2527 (10)  
**Z-07-113**      A **Substitute Ordinance as amended** by Zoning Committee to rezone from the I-1-C (Light Industrial-Conditional) District to the MRC-3 (Mixed Residential Commercial) District, property located at **430 and 460 Englewood Avenue, SE**, fronting approximately 678 feet on the north side of Englewood Avenue beginning approximately 132 feet from the northeast corner of Mailing Avenue. **(Held 4/29/09)**  
Depth:      Approximately 1,010 Feet  
Area:      Approximately 10.32 Acres  
Land Lot:      42, 14<sup>th</sup> District, Fulton County, Georgia  
Owner:      JWGST LLC/Joseph Wiles  
Applicant:      Jason Fritz  
**NPU-Y** **Council District 1**

**Zoning Committee Minutes  
September 16, 2009  
Page Five**

**PAPERS HELD IN COMMITTEE (CONT'D)**

08-O-2125 (11)  
**Z-08-73**

**A Subordinate Ordinance by Zoning Committee to rezone from the R-4 (Single Family Residential) and NC-2 (Neighborhood Commercial) Districts to the NC-2 (Neighborhood Commercial) District, property located at 1146 Portland Street, SE, 1152 Portland Street, SE, 1131 Glenwood Avenue, SE, 1137 Glenwood Avenue, SE 525/527 Moreland Avenue, SE, 529 Moreland Avenue, SE, 535 Moreland Avenue, SE and 537 Moreland Avenue, SE fronting approximately 250 feet on the north side of Portland Avenue, approximately 300 feet on the west side of Moreland Avenue and approximately 250 feet on the south side of Glenwood Avenue. (Held 5/27/09)**

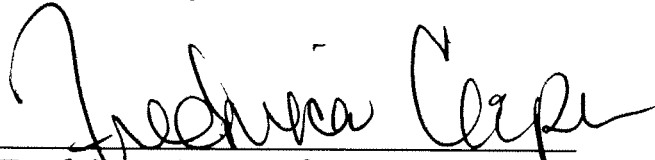
Depth: Varies  
Area: Approximately 1.75 Acres  
Land Lot: 12, 14<sup>th</sup> District, Fulton County, Georgia  
Owner: George Rohrig  
Applicant: Joseph Alcock

**NPU-W Council District 1**

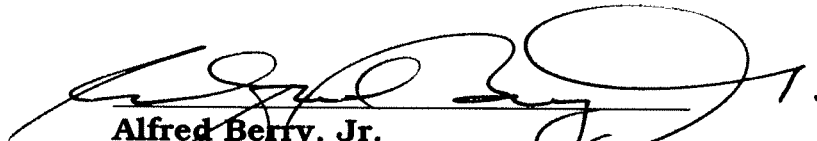
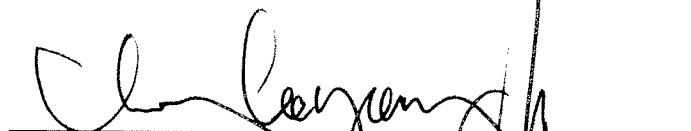
**Zoning Committee Minutes  
September 16, 2009  
Page Six**

**There being no further business to come before the Committee, the meeting was adjourned at 11:28 a.m.**

**Respectfully Submitted:**



**Fredrica Cooper for Angela H. Campbell  
Legislative Assistant**

  
**Alfred Berry, Jr.  
Research and Policy Analyst**  
**The Honorable Ivory L. Young, Jr., Chair  
Zoning Committee**